

ORDINANCE NO. 2018-065

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ADOPTING A NEW ARTICLE VI TO CHAPTER 14 OF THE CODE OF ORDINANCES REGARDING SINGLE-FAMILY DWELLING TRANSIENT RENTALS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine is authorized to adopt and enforce ordinances necessary to protect health, life, and property to preserve good government and the security of its inhabitants; and

WHEREAS, the City of Grapevine has adopted a comprehensive Zoning Ordinance to regulate the location and use of buildings and land in full accordance with Chapter 211 of the Local Government Code; and

WHEREAS, single-family dwelling transient rentals have been identified in the City's Zoning Ordinance since at least April 18, 2000, with the adoption of Ordinance No. 2000-47; and

WHEREAS, single-family dwelling transient rentals are not currently listed as a permitted use in any Zoning District within the City; and

WHEREAS, there has been a proliferation of single-family dwelling transient rentals within residential areas of the City; and

WHEREAS, single-family dwelling transient rentals do not fit in or fall under the definition of single-family attached dwelling or single-family detached dwelling under the Zoning Ordinance; and

WHEREAS, single-family dwelling transient rentals are not consistent with the character or nature of single-family residential uses under the Zoning Ordinance; and

WHEREAS, single-family dwelling transient rentals are not suitable in residential neighborhoods, are not compatible with residential uses, and the neighborhood adjacency of single-family dwelling transient rentals in residential neighborhoods is harmful; and

WHEREAS, in the absence of being listed as a permitted use in any Zoning District, single-family dwelling transient rentals are prohibited under the City's Zoning Ordinance; and

WHEREAS, single-family dwelling transient rentals in the City of Grapevine, with their attendant traffic, parking, noise, litter, and the influx of non-residents into residential

areas is incompatible with the intent of residential districts in the City and the desires and expectations of the City's residents and is contrary to the long-standing character of the community; and

WHEREAS, single-family dwelling transient rentals in residential areas of the City pose a risk of increased public nuisances, disruption of neighborhoods, and additional enforcement related issues; and

WHEREAS, the City's Police Department has responded to multiple calls for service at known addresses of single-family dwelling transient rentals in residential areas of the City; and

WHEREAS, the calls for service attributable to single-family dwelling transient rentals in residential areas of the City include noise, parking, and disturbance complaints; and

WHEREAS, the increase in calls for service attributable to single-family dwelling transient rentals in residential areas of the City result in an additional burden on the Police Department; and

WHEREAS, the City of Grapevine City Council has determined that it is a necessity to regulate activities as provided for herein to safeguard the public; and

WHEREAS, the City of Grapevine is authorized by law to adopt the provisions contained herein; and

WHEREAS, the City Council of the City of Grapevine deems the passage of this ordinance as necessary to protect the public, health, safety, and welfare; and

WHEREAS, the City Council is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this Ordinance, including but not limited to the Open Meetings Act.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That a new Article VI to Chapter 14 is hereby adopted and added to the Code of Ordinances as follows:

“ARTICLE VI. SINGLE-FAMILY DWELLING TRANSIENT RENTALS

14-150 - Definitions

Single-family dwelling transient rental – The rental or offer for rental of any dwelling or any portion of a dwelling for a period of less than 30 days.

Rental – The renting, bartering, trading, letting or otherwise allowing the use of a dwelling or room or rooms within a dwelling for compensation. This shall not restrict, limit or interfere with any homeowner from participating in a leaseback upon the sale of a dwelling.

Leaseback – An arrangement where the seller of a home leases the home back from the purchaser. In a leaseback arrangement, the specifics of the arrangements are typically made prior or immediately after the sale of the home.

14-151 - Single-family Dwelling Transient Rentals Prohibited

All single-family dwelling transient rentals are hereby prohibited and unlawful within the City of Grapevine.”

Section 3. That City staff is hereby directed to proceed with a notice and enforcement initiative as to single-family dwelling transient rentals.

Section 4. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Grapevine, Texas shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding of not guilty, nolo contendere, or dismissal.

Section 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed two thousand dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 6. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7. The fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the public creates an emergency which requires that this ordinance become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 4th day of September, 2018.

APPROVED:

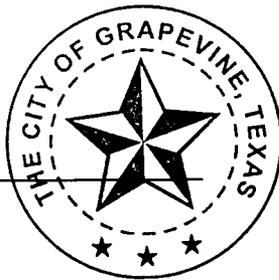


Mayor
William D. Tate

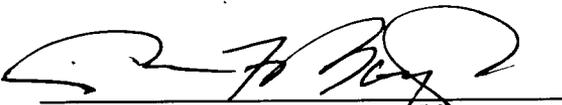
ATTEST



Tara Brooks
City Secretary



APPROVED AS TO FORM:



City Attorney